

## STATE OF VERMONT ACA POLICY AND PROCEDURES

### 1. PATIENT PROTECTION AND AFFORDABILITY CARE ACT:

On March 23, 2010, President Obama signed into law the health care reform bill, the Patient Protection and Affordable Care Act (PPACA or ACA). This legislation, along with the Health Care and Education Reconciliation Act of 2010, makes sweeping changes to the U.S. health care system. These changes will be implemented over the next several years.

### 2. ACA GRANTS APPLICATION AND ACCEPTANCE REQUEST PROCESS:

- a. Grant Application Writing Assistance - Because of the very tight deadlines for submitting ACA grant applications, the departments represented on the Governor's Health Care cabinet collaborated with the Agency of Administration to issue a pre-approved grant writer RFP this summer to assist departments with the accelerated grant writing process. Firms were selected for the final ACA Pre-Qualified List (see page 3); individual Master Agreements (statewide contracts) were subsequently executed with each consultant to provide assistance to departments for ACA grant writing, when necessary. These contracts already include the required terms & conditions (Multi-Use Attachment C), the fixed hourly rates (Attachment B), and a basic scope of work describing general grant writing assistance (Attachment A).
  - i. If a department is not able to handle the grant writing and application process for an ACA grant due to timing, backlog, lack of resources, etc., the department must select one of the three consultants from the ACA Pre-Qualified List and proceed in negotiating the specific grant writing scope of work and costs. If the negotiation with the selected pre-qualified consultant is not successful, or if they are unable to meet the deadline, the department will negotiate with another consultant on the Pre-Qualified List until agreement can be reached. These Master Agreements guarantee terms, rates, etc.; however, departments choosing to access these services must provide their own funding.
  - ii. Once agreement on specific scope of work and cost has been reached, the department shall prepare a Purchase Order (PO) against the appropriate Master Contract. Departments must make certain that the PO contains or refers to a document detailing the necessary scope of work specifics binding the consultant to the specific grant writing assignment covered by the PO.
- b. Grant Award Acceptance Request for Approval - Upon receipt of an ACA grant award letter, prepare the Vermont Request for Grant Acceptance Approval - Affordable Care Act Grants - Form AA-1-ACA with the appropriate documentation, and submit to Finance & Management through the existing federal grants process. When timing is critical, you may request that the Joint Fiscal Committee expedite the approval process – by checking the 2 week

box on the top of the Form AA-1ACA. An approved Form AA-1ACA must be on file before spending authority will be released in VISION. Form AA-1ACA is available in electronic format, under Agency of Administration Bulletin forms at: <http://finance.vermont.gov/forms>.

### 3. ACA Grant LIMITED SERVICE POSITIONS:

ACA grants are expected to have very tight deadlines for the hire of dedicated limited service staff and expending funds. In order to reduce the time normally required to get a grant award processed and approved, we are allowing certain processes to be expedited when ACA Limited Service positions are involved:

- a. Classification paperwork for limit service positions for ACA grants with a very high likelihood of award to the State of Vermont may be initiated and sent to DHR Classification Division prior to the actual receipt of the award letter. To help expedite this process please contact Molly Paulger ([molly.paulger@state.vt.us](mailto:molly.paulger@state.vt.us) or 828-3517) to obtain a tracking number and determine what paperwork is necessary to request and classify each ACA limited service position.
- b. Once the position is classified, provisional recruitment activities may begin at the expense of the department. **However, no commitment to hire - written or verbal - may be given, and no actual hire shall occur until approval of the ACA Grant and the related Limited Service Positions by the Joint Fiscal Committee (JFC) is received.**

Allowing Limited Service Positions related to ACA grants to be classified and provisionally recruited is designed to result in quicker processing time for the Request for Grant Acceptance package, approval by the JFC, and signature by the Governor. We have requested that the JFC expedite these ACA-related requests.

### 4. ACA AGREEMENT (CONTRACTS, AND SUB-GRANTS):

Prepare ACA Agreements (contracts, subgrants, and MOUs) that will be funded in whole or in part with ACA monies in accordance with Bulletins 3.5 ~ Contracting Procedures, 5.0 ~ Single Audit Policy for Subgrants, the Act, and this directive. These ACA Agreements must include any special ACA language, attachments, and reporting requirements as specified in the Act or federal rules. Every effort will be made to expedite the review of these contracts and subgrants.

### 5. ACA TRACKING, REPORTING AND AUDITING:

- a. Effective immediately, and until notified otherwise, a consolidated spreadsheet listing ACA Funding Opportunities will be maintained and updated at the beginning of each calendar month. The list will include the program name, ACA section reference, eligible entity, start date, funding, Agency/Department, Application submission date and status. Other

information such as type of grant, matching and MOE provisions, and other elements may be included. In addition to the agencies and departments involved, the list will be distributed to the Joint Fiscal Office (for distribution to JFC and committees of jurisdiction) and will be posted on both on the JFO's website and the VT's Health Reform website.

- b. ACA Master Agreements, subsequent POs, ACA sub-grants and contracts are subject to the A-133 audit process, all federal and State SEFA reporting requirements, and Administrative Bulletins 3.5 or 5.0. Each department is responsible for proper documentation, accounting, and reporting for their portion of these Master Agreements, POs, sub-grants, contracts, receipts, and expenditures.

**6. DEPARTMENTS LIKELY TO BE IMPACTED BY ACA:**

- a. Not all State of Vermont Agencies and Departments will be impacted by ACA. Departments likely to be impacted by ACA and these Policies and Procedures include but are not limited to:
  - Joint Fiscal Office
  - Finance & Management
    - Budget & Management
    - Financial Operations
  - Secretary of Administration
  - Human Resources
  - Admin Business Office
  - AHS – Central Office
  - DVHA
  - DMH
  - VDOH
  - DAIL
  - DCF
  - BISHCA
  - VDOL
  - BGS

---

ACA Pre-Qualified List – Grant Writing				
Name	Vendor #	Contract #	Start Date	Expire Date
Burns & Associates, Inc	250203	18341	10/01/201	9/30/2011
Bailit Health Purchasing, LLC	12256	18354	10/01/201	9/30/2011
JSI Research & Training Institute	13798	18377	10/01/201	9/30/2011